

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KENNETH W. CLARK,

Plaintiff,

vs.

F. MATTHEW AERNI, CLARISSA SHADA,  
TERRY DALE LOMACK, and DAN NOLTE,

Defendants.

**8:24CV392**

**MEMORANDUM AND ORDER**

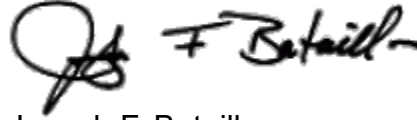
This matter is before the Court on Plaintiff Kenneth W. Clark's "Motion to Recuse of Conflict Interest Motion to Appeal" (the "Motion") filed on January 2, 2025. [Filing No. 32](#). In its entirety, Plaintiff's Motion states: "Conflict of interest to a appeal judge violat due process of law probate fraud statute. Wrongful claim 30-810 to false imprisonment 29-314 and obey court order 25-2121 ci23-1874 to 14th amendment." [Filing No. 32](#) (as in original).

The Court cannot discern what relief, if any, Plaintiff seeks from this Court as his motion is nonsensical and cites to what the Court assumes are the same Nebraska statutes cited in his Complaint without any explanation. The Court dismissed this case on November 27, 2024, finding Plaintiff's Complaint was largely unintelligible, failed to comply with Federal civil rules of pleading, and failed to state a claim for relief against any named defendant. [Filing No. 18](#). Plaintiff appealed, and the Eighth Circuit Court of Appeals summarily affirmed this Court's dismissal and issued its mandate on April 21, 2025. See [Filing No. 33](#); [Filing No. 36](#). Because this case is closed and Plaintiff's motion is unintelligible,

IT IS ORDERED that: Plaintiff's Motion, [Filing No. 32](#), is denied.

Dated this 23rd day of April, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long, horizontal stroke extending to the right.

Joseph F. Bataillon  
Senior United States District Judge